IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5776 of 1985

For Approval and Signature:

HON'BLE MR.JUSTICE H.K.RATHOD

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

ASHWIN AND COMPANY

Versus

UNION OF INDIA

Appearance:

1. Special Civil Application No. 5776 of 1985

MR SHALIN N MEHTA for Petitioner No. 1-2

MR ASIM J PANDYA for Respondent No. 1-2

DELETED for Respondent No. 3

CORAM : HON'BLE MR.JUSTICE H.K.RATHOD

Date of decision: 11/11/2003

ORAL JUDGEMENT

Heard learned advocate Mr. Shalin N. Mehta for

the petitioner. Learned advocate Mr. Asim J. Pandya is appearing for the respondents NO. 1/2. Respondent NO.3 has been deleted.

Today, when the matter was taken up for final hearing, under the instructions from Mr. Ashwinbhai Patel, Partner of the petitioner firm, it was submitted by the learned advocate Mr. Shalin N. Mehta that the partnership firm has already been dissolved and now there is no partnership firm in the name and style of ASHWIN AND COMPANY and there is no workers working with the said partnership firm.

Considering this fact, when there is no workers remaining with the partnership firm and the firm itself has already been dissolved long back, according to my opinion, such petition has now become infructuous by passage of time. Accordingly this petition is disposed of as having become infructuous. Rule is discharged. Interim relief, if any, shall stand vacated. There shall be no order as to costs.

Dt.11.11.2003. (H.K. Rathod,J.)

Vyas